

Washington, D. C.

31 July 1947

MEMORANDUM
NUMBER 53

SUBJECT: Employment Review Board

EFFECTIVE WITH ESTABLISHMENT OF CIA

1. Sub-paragraph (c) of Section 102, National Security Act of 1947 (Public Law 253 - 80th Congress), is quoted below:

"Notwithstanding the provisions of section 6 of the Act of August 24, 1912 (37 Stat. 555), or the provisions of any other law, the Director of Central Intelligence may, in his discretion, terminate the employment of any officer or employee of the Agency whenever he shall deem such termination necessary or advisable in the interests of the United States, but such termination shall not affect the right of such officer or employee to seek or accept employment in any other department or agency of the Government if declared eligible for such employment by the United States Civil Service Commission."

2. This section was enacted to enable the CIA to maintain high personnel standards essential to a national intelligence agency.

3. To provide an impartial review, and advice to the Director in the just and equitable exercise of his discretionary power under the Act quoted above, an Employment Review Board is hereby appointed to consist of:

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| Executive Director | -- | Chairman |
| General Counsel | -- | Law Member |
| Executive for Administration and Management | -- | Member and Recorder |
| Executive for Inspection and Security | -- | Advisor to the Board without vote |

4. Every case involving involuntary termination of a CIA employee will be forwarded by the head of the appropriate Office or Staff Section to the Chief, Personnel Branch, A&M, together with all applicable reports of investigation and other pertinent records. If the Chief, Personnel Branch, determines that final administrative action by his office is not feasible, he shall immediately forward the record directly to the Board for its consideration. The individual concerned will be notified that for stated reasons he is suspended from duty and the date on which the Board will consider his case. Such date will normally be not less than ten days later than the date of the notice. Inquiries of employees concerned must be addressed to the Chief, Personnel Relations Division, Personnel Branch, A&M.


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5. The Executive for Inspection and Security may refer directly to the Board any case arising within the scope of his functions. He will immediately inform the Chief, Personnel Branch, of such reference and the basis therefor, requesting suspension and notification of the individual concerned as provided by paragraph 4 above.

6. After full consideration of each case, including such additional evidence as may be required, the Board will prepare a written recommendation to the Director containing a summary of the facts and basis for the recommendations. Each voting member shall note his concurrence or non-concurrence on the record of the Board's proceedings. Any member, including the Executive for Inspection and Security, may append his individual comments.

7. The Director's determination in each case will be final. If his decision is to terminate employment, notice of separation to the Civil Service Commission will state only that separation is accomplished by order of the Director under authority granted by sub-paragraph (c) of Section 102 of the National Security Act of 1947, without further amplification.

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R. H. HILLENKOETTER
Rear Admiral, USN
Director of Central Intelligence

ATTACHMENTS: Mono

DISTRIBUTION: All CIG employees